



ECLEG AUG14'13 11:13-AP

COUNTY OF ERIE
STEFAN I. MYCHAJLIW
COMPTROLLER

August 13, 2013

The Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Honorable Mark C. Poloncarz
Erie County Executive
95 Franklin Street
Buffalo, New York 14202

Dear Honorable Members and County Executive Poloncarz:

Enclosed is a copy of Erie County's New York State Department of Transportation (NYSDOT) Single Audit Report for the year ended December 31, 2012. This report is required pursuant to Draft Part 43 of the New York State Codification of Rules and Regulations.

A copy of this report has been filed with the NYSDOT's Contract Audit Bureau.

If you have any questions pertaining to this report, please call Paul Stachnik of this Office at Ext. 6286.

Very truly yours,

A handwritten signature in black ink, appearing to read "G. Gach", is written over a horizontal line.

Gregory G. Gach
Deputy Erie County Comptroller

GGG/nr
Enclosure

c: Robert W. Keating, Director of Budget and Management
John Loffredo, P.E., Commissioner of Public Works
Erie County Audit Committee Members

V:\ADMIN\TYPING - General\Reporting\All Other-Variou\NYSDOTDistribution\7'13 doc

**COUNTY OF ERIE,
NEW YORK**

*New York State Department of Transportation
Financial Assistance Schedule for the
Year Ended December 31, 2012 and
Independent Auditors' Report*

COUNTY OF ERIE, NEW YORK

Table of Contents

Year Ended December 31, 2012

New York State Department of Transportation

Part 43 of NYCRR Schedules and Reports:

Independent Auditors' Report on Compliance and Internal Control Over State Transportation Assistance Expended Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards	1
Schedule of New York State Department of Transportation Assistance Expended.....	4
Notes to Schedule of New York State Department of Transportation Assistance Funds Expended	5
Schedule of Findings and Questioned Costs of New York State Department of Transportation Assistance	6

Certified Public Accountants

**INDEPENDENT AUDITORS' REPORT ON COMPLIANCE AND
INTERNAL CONTROL OVER NEW YORK STATE
TRANSPORTATION ASSISTANCE EXPENDED BASED ON AN
AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Honorable County Legislature
County of Erie, New York:

Report on Compliance for New York State Transportation Assistance Programs

We have audited the County of Erie, New York's, (the "County") compliance with the types of compliance requirements described in Draft Part 43 of the New York State Codification of Rules and Regulations ("NYCRR") that are applicable to each state transportation assistance program tested for the year ended December 31, 2012. The program tested is identified in the summary of audit results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the laws, regulations, contracts and grants applicable to the program tested.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for the County's program based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Draft Part 43 of NYCRR. Those standards and Draft Part 43 of NYCRR require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a state transportation assistance program tested has occurred. An audit includes examining, on a test basis, evidence about County's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each state transportation assistance program. However, our audit does not provide a legal determination on County's compliance.

Opinion on Each State Transportation Assistance Program

In our opinion, the County complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its state transportation assistance programs for the year ended December 31, 2012.

Purpose of this Report

This report is intended solely to describe the scope of our testing of compliance and the results of that testing, and not to provide an opinion on the effectiveness of the County's internal control over compliance. This report is for the information and use of the County Legislature, management, the New York State Department of Transportation, and the Office of the State Comptroller of the State of New York. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in dark ink, appearing to read "E. M. Hill". The signature is fluid and cursive, with the first name "E." and last name "Hill" clearly distinguishable.

June 25, 2013

COUNTY OF ERIE, NEW YORK
Schedule of New York State Department of Transportation Assistance Expended
For the Year Ended December 31, 2012

<u>Program Title/Description</u>	<u>NYSDOT Contract/ Reference Number</u>	<u>Total NYSDOT Expenditures</u>
Consolidated Local Street and Highway Improvement Program ("CHIPS")	M530000	<u>\$ 7,535,207</u>
<u>Marchiselli Bond Match for Federal Aid Highway Projects</u> (Highway and Bridge Reconstruction Projects):		
Wehrle Drive	D011613	762
North Forest Road	D012300	7,797
Seneca RR Bridge	D012333	406,019
Cemetery Road Bridge	D012343	489,265
Maple Road	D012344	482,148
East Robinson/North French	D013856	14,614
Lake Shore Road	D013876	15
Pavement Road Bridge	D013877	241,217
Youngs/Aero Intersection	D017935	35,595
Maple Road Extension	D022003	4,197
Harris Hill at Wehrle & Pleasantview	D022084	22,095
Tonawanda Rails to Trails	D022292	13,161
Greiner/Shimerville	D022293	131,425
Elmwood Signals	D022309	6,611
Colvin/Brighton Signals	D022322	122,178
Lake Avenue Bridge	D033516	11,428
Abbott Road Bridge	D033706	<u>14,647</u>
Total Highway and Bridge Reconstruction Projects		<u>2,003,174</u>
Total New York State Department of Transportation Assistance Expended		<u><u>\$ 9,538,381</u></u>

See notes to Schedule of New York State Department of Transportation Assistance Expended.

COUNTY OF ERIE, NEW YORK
Notes to Schedule of New York State Department of Transportation Assistance Expended
For the Year Ended December 31, 2012

1. BASIS OF PRESENTATION

The accompanying Schedule of New York State Department of Transportation (the "NYSDOT") Assistance Expended includes the financial assistance provided by NYSDOT.

The accompanying schedule is presented on the modified accrual basis of accounting.

2. MATCHING COSTS

Amounts identified as Marchiselli/Bond Match for Federal Aid Highway Projects represent matching costs for federally aided projects.

* * * * *

COUNTY OF ERIE, NEW YORK
Schedule of Findings and Questioned Costs
New York State Department of Transportation Assistance
For the Year Ended December 31, 2012

Part I. SUMMARY OF AUDITORS' RESULTS

New York State Department of Transportation Assistance:

Internal control over major programs:

1. Material weakness(es) identified? _____ Yes ✓ No
2. Significant deficiency(ies) identified? _____ Yes ✓ None reported

Type of auditors' report issued on compliance for programs tested:

Unmodified (with reference to other auditors)

3. Any audit findings disclosed that are required to be reported in accordance with Draft Part 43 of NYCRR? _____ Yes ✓ No
4. Identification of State Transportation Assistance Program Tested:

Name of Program

Consolidated Highways Improvement Program ("CHIPS")

Part II. COMPLIANCE FINDINGS AND QUESTIONED COSTS

None reported.